

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**ORDER OF THE CHIEF JUDGE  
RE: REASSIGNMENT OF CASES  
PENDING BEFORE  
THE HONORABLE FERN M SMITH**

**/**

**No C 04-2041 FMS  
C 04-3268 FMS  
C 04-2670 FMS  
C 04-3370 FMS  
C 04-3814 FMS  
C 04-4248 FMS  
C 04-4270 FMS  
C 04-5220 FMS  
C 04-5248 FMS  
C 04-5392 FMS  
C 05-0042 FMS  
C 05-0208 FMS  
C 05-0373 FMS**

**Because the Honorable Fern M Smith, to whom the above cases  
were assigned, will retire effective June 30, 2005, these cases are re-assigned  
as follows:**

**On or before July 29, 2005, the parties may select one or more of  
the following magistrate judges to conduct any and all proceedings, including  
trial and entry of judgment pursuant to 28 USC § 636(c)(1) :**

**Honorable James Larson, Chief Magistrate Judge**

**Honorable Edward M Chen, Magistrate Judge**

**Honorable Maria-Elena James, Magistrate Judge**

**Honorable Elizabeth D Laporte, Magistrate Judge**

**Honorable Joseph C Spero, Magistrate Judge**

**Honorable Bernard Zimmerman, Magistrate Judge**

1           **Upon filing with the court a selection and consent form signed by**  
2 **all parties (or one for each party), the case will be re-assigned to one of the**  
3 **magistrate judges chosen by the parties. A magistrate judge selection and**  
4 **consent form is attached for the parties' convenience.**

5           **In the event the parties fail timely to consent to a magistrate**  
6 **judge, the clerk is directed to re-assign the case to a United States district**  
7 **judge selected at random from the active and senior judges of the court.**

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10           **IT IS SO ORDERED.**

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13           **VAUGHN R WALKER**  
14           **United States District Chief Judge**

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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**Plaintiff,** **No C \_\_\_\_\_ FMS**  
**v** **SELECTION OF AND CONSENT**  
**TO PROCEED BEFORE A**  
**Defendant.** **MAGISTRATE JUDGE**

\_\_\_\_\_ /

**In accordance with the provisions of 28 USC § 636(c), all parties to**  
**this action hereby consent to have Magistrate Judge(s)**  
**\_\_\_\_\_, or \_\_\_\_\_, or**  
**\_\_\_\_\_ conduct any and all further proceedings in the case,**  
**including trial, and order the entry of a final judgment. Appeal from the judgment**  
**shall be taken directly to the United States Court of Appeals for the Ninth Circuit.**

**Dated:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

**Counsel for** \_\_\_\_\_  
**(name of party, indicate plaintiff or**  
**defendant)**

**United States District Court**

For the Northern District of California

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**Dated:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

**Counsel for** \_\_\_\_\_  
**(name of party, indicate plaintiff or defendant)**

**Dated:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

**Counsel for** \_\_\_\_\_  
**(name of party, indicate plaintiff or defendant)**

**Dated:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

**Counsel for** \_\_\_\_\_  
**(name of party, indicate plaintiff or defendant)**